

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Timothy Lilliberg,

Civil No. 04-4031 (DWF-JJG)

Plaintiff,

v.

ORDER

Jo Anne B. Barnhart,

Defendant.

Jennifer G. Mrozik, Esq., Northwest Disability Services, counsel for Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, United States Attorney's Office, counsel for Defendant.

This matter is before the undersigned upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Lilliberg's Motion for Summary Judgement (Doc. No. 13) is **DENIED**.
2. The Commissioner's Motion for Summary Judgment (Doc. No. 16) is **GRANTED**.
3. This case is **DISMISSED WITH PREJUDICE**.

Dated: February 13, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court